

Attorney Docket No.: TSNMNE00100

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on the date shown below:

Date: January 30, 2006

Signature: 

(Laura Shires)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
CENTRAL FAX CENTER
JAN 30 2006

Application No.: 10/621,730
Confirmation No.: 1584
Filing Date: July 14, 2003
Inventor(s): Nicholas DE BEER
Title: ENCAPSULATION DEVICE AND METHODS OF USE
Examiner: H. Phan
Group Art Unit: 3738

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patent
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the restriction requirement set forth in the Office Action mailed July 28, 2005, for which a response is due August 28, 2005. Filed herewith is a Petition for a 5-month extension of time (fee was previously paid on August 26, 2005, copy attached), thereby extending the deadline for response to January 30, 2006 (January 28, 2006 fell on a Saturday). Accordingly, this response is timely filed.

Claim 1-49 were presented for examination at filing. On July 28, 2005, a Requirement for Restriction was issued, setting out two groups of claims. In response, Applicants hereby elect Group II (claims 34-49), without traverse.

1 of 2

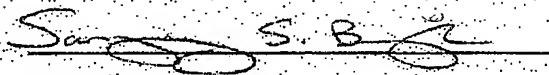
BEST AVAILABLE COPY

Application No.: 10/621,730

Attorney Docket No.: TSNMNE00100

Accordingly, Applicants believe that, in light of the election presented herein, claims 34-49 are presently under consideration. Applicants expressly reserve their right under 35 U.S.C. § 121 to file one or more divisional applications directed to the non-elected subject matter during the pendency of this application, or an application claiming priority from this application. Applicants respectfully request examination of the elected subject matter on the merits.

Respectfully submitted,



Sanjay S. Bagade
Registration No. 42,280

Customer No. 40518
Levine Bagade LLP
2483 East Bayshore Road, Suite 100
Palo Alto, CA 94303
Direct: (650) 242-4212
Fax: (650) 284-2180